

MINUTES

UTAH Dentist Dental Hygienist Licensing Board MEETING

October 19, 2007

**Room 474 – 4th Floor – 9:00 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 8:18 a.m.

ADJOURNED: 10:49 a.m.

Bureau Manager:
Board Secretary:

Daniel T. Jones
Lee Avery

Board Members Present:

James Ence, DDS, Chairperson
Brian Lundberg, DDS
Anna Policelli RDH,
Brent Larson, DDS
Rich Radmall, DDS
Alex Larsen, DDS
Karen Bateman, RDH
Stephen Morgan, DDS

Board Members Excused

Pamela Jolley

Guests:

Ashley Jarrett
Dena Porter
Kimber Scopel
Brittney Allen
Chanci Vuittonet
Sheri Adams
Casandra Thacker
Mindy Pace
Allen Hibler, DMD
Sheri Reyes
Melanie Madsen
Skye Thompson
Francisco Rubio
Lori Brogna, RDH

Donald Mantyla, DDS
Sue Dougherty, RDH, MS
Monte Thompson
Joleen Van Bibber

DOPL Staff Present:

F. David Stanley, Division Director

TOPICS FOR DISCUSSION

**ADMINISTRATIVE BUSINESS:
MINUTES:**

DECISIONS AND RECOMMENDATIONS

None

The minutes from September 21, 2007 were reviewed. Dr. Lundberg motioned to accept the minutes with changes, seconded by Ms. Policelli, RDH. The motion carried unanimously.

DISCUSSION:

Dr. Hibler advised the Board he purchased books called "Wounded Healer". This is about sexual abuse in the professional environment for the Board members to read and requested the books be returned to Mr. Jones for distribution to the new Board members.

AADE Convention, Ms. Anna Policelli, RDH

Taken out of Order on the Agenda

Ms. Policelli briefly reviewed information covered at the American Association of Dental Examiners (AADE) convention in San Francisco noting some of the concerns are the expanded treatments in Dentistry, i.e. lip enhancements, piercing, botox, portfolio exams, and regulating dental assistants through registration or certification. The Board stated it would like to discuss cosmetic dentistry at the next Board meeting. Ms. Policelli also stated sexual boundary issues are becoming an issue and provided a copy of a model boundaries report.

Dr. Brent Larson advised the Board he attended the Accreditation Audit at the University and felt this is a very good program. The students will complete a one (1) year program including one (1) month in anesthesia and supervision in the emergency room. Dr. Larson stated the Board should feel very comfortable with the education received by these

students.

Mr. Jones gave the Board a letter from Dr. Stephen Knell requesting reinstatement of his license. The Board talked about Dr. Knell's request and his history in detail. Dr. Alex Larson motioned for the Board to not meet with Dr. Knell, seconded by Ms. Bateman. Seven voted for the motion, Dr. Ence voted against the motion.

APPOINTMENTS:

Dr. Troy Yates, DDS, Probation Interview

Dr. Troy Yates presented himself to the Board. Dr. Brian Lundberg conducted the interview. The Board noted it had been five (5) months since it last met with Dr. Yates. Dr. Yates stated things were going well. He goes to the gym to help with the stresses in life and continues to attend Professionals in Recovery (PIR). Dr. Yates stated he works 40 hrs a week. His family and staff are also a good support system for him. The Board asked to see Dr. Yates in six (6) months. **In Compliance**

Dr. Rochelle Rasmussen, Probation Interview

Dr. Rasmussen presented herself to the Board. Ms. Bateman conducted the interview. Dr. Rasmussen advised the Board she is now working four (4) days a week and things are going well. She does not keep controlled substances in the office and her prescription logs are kept in the computer and in the patient's charts. Dr. Rasmussen advised the Board she has some continuing education (CE) hours and is planning to attend the Utah Dental Convention. The Board asked to see Dr. Rasmussen in April 2008. **In Compliance**

Dr. Rodney Slater, DDS, Probation Interview

Dr. Slater presented himself to the Board. Ms. Policelli conducted the interview. Dr. Slater advised the Board things were going well. He continues working at Emergency Dental Care. He works three (3) days a week at both the Orem and West Valley Clinics. Dr. Slater stated neither clinic uses nitrous. He attends Professionals In Recovery (PIR) every Monday night and another support group through his church. Dr. Slater stated he is currently taking

Cymbalta and Welbutrin. Dr. Slater stated he has not prescribed controlled substances and will contact the Pharmacy regarding the prescriptions written in his name. Dr. Slater stated he still wants to clear up the problems with his Arizona license however because of the financial expense this has incurred he will need to put this on hold for a while. With the Boards agreement Mr. Jones stated he will send a letter to the Arizona Board regarding the positive changes and successes Dr. Slater has completed. The Board asked Dr. Slater to bring the signed support group meeting cards with him when he meets with it. The Board asked to see Dr. Slater in February 2008.

In Compliance

Dr. David Hendrickson, DDS, Probation
Interview

Dr. Hendrickson is unable to keep his appointment with the Board.

Dr. Paul Martinez, DDS, Probation Interview

Dr. Martinez presented himself to the Board. Dr. Morgan conducted the interview. Dr. Martinez advised the Board things are going well. He attended a course in San Diego covering ethics, sexual boundaries, and other very interesting topics. Dr. Martinez stated his wife is still the office receptionist and he has hired three (3) new staff members. He no longer volunteers in the community as much anymore, he now works more with his ranch. Dr. Martinez submitted a letter asking the Board to be released early from probation. The Board advised Dr. Martinez it usually does not release a probationer early from probation, and the few times it has, it was the last six (6) months of their probation and for a specific reason, i.e. serious health/medical issues. The Board noted Dr. Martinez is one and one half (1 ½) years into his five (5) year probation. Dr. Martinez asked the Board if he could see another therapist closer to his area, instead of the long drive to Dr. Brunson once a week, noting the distance to Dr. Brunson's office, especially during the winter. Dr. Martinez advised the Board he asked Dr. Brunson to recommend another therapist however, Dr. Brunson recommended a therapist in Dr. Brunson's office, which defeats Dr. Martinez's

purpose in changing therapists. After further discussion the Board asked Dr. Martinez to have Dr. Brunson submit a letter stating it would be ok to reduce his meetings from weekly to once a month. The Board noted letters received from Dr. Brunson regarding Dr. Martinez have been very positive. Dr. Martinez asked the Board if he could be allowed to treat past employees. After talking with Dr. Martinez and reading the letter from Dr. Brunson dated October 17, 2007 stating it is ok for Dr. Martinez to provide dental services to past employees, except to those involved in the complaint. After a brief discussion Ms. Bateman motioned to change Dr. Martinez stipulation to allow him to work on past employees, except those involved in the Divisions complaint, seconded by Dr. Brent Larson. No further discussion the motion carried unanimously. The Board asked to see Dr. Martinez in April 2008.

In Compliance

Dr. Sage White, Probation Interview

Dr. White is unable to keep his appointment with the Board.

Dr. Blain Austin, Standards of Practice at a Hospital Setting

Mr. Jones introduced Dr. Austin to the Board. Dr. Austin is the Director of Dentists at Mc Kay-Dee Hospital. Mr. Jones stated Dr. Austin is before the Board to talk about a standards of practice issue for dentists working in a hospital setting. Dr. Austin stated there is a need where the Plastic Surgeons are opting out of on call in the Emergency Room and he has been asked if the Oral Surgeon could take some of the cases the Medical Doctors are rejecting. The Oral Surgeons would be closing superficial wounds on the extremities only. The Board talked with Dr. Austin in detail noting possible liability issues. There is an Emergency Room physician who would make the initial assessment. Mr. Jones stated he reviewed the Dentist Dental Hygienist Practice Act and Dentists or Dental Hygienists could not do this under their practice act, however, they could provide this service under direct supervision, it does fall under the Medical Practice Act. Dr. Austin stated the Oral Surgeon will choose to have his or her name on a call list. It would not have an adverse effect if an Oral Surgeon decided

not to be on the list. Dr. Austin stated the Hospital should cover the extra liability insurance required. The Board encouraged Dr. Austin to contact the Medical Board regarding this. Mr. Jones asked Dr. Austin to contact him for information regarding the next Medical Board meeting.

DISCUSSION:

Mr. Jones gave the Board a copy of an article regarding a dentist in California doing Breast Massages as part of his dentistry procedure.

Radiology Course

The Board reviewed and approved the Radiology Course that was submitted.

DISCUSSION:

The Board briefly reviewed concerns regarding Dr. White not being in compliance.

Dr. Ence stated he will meet with Dr. White regarding the documentation the Board has asked Dr. White to bring before it. Dr. Ence stated he will bring the information back to the Board for its review.

The Board briefly reviewed an advertisement in the phone book. Mr. Jones stated he has referred several advertisements to Investigations.

BUSINESS FROM PREVIOUS MEETING:

None

ADJOURN:

Motion to adjourn by Dr. Brent Larsen

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

November 16, 2007
Date Approved

(ss) James Ence, DDS
Chairperson, Dentist Dental Hygienist Licensing Board

November 16, 2007
Date Approved

(ss) Daniel T. Jones
Bureau Manager, Division of Occupational & Professional Licensing